

O-2025-24

AN ORDINANCE

PROSPECTIVELY ACCEPTING A DEED FROM URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT TO THE CITY OF LAKEWOOD FOR 170 YUKON STREET, CITY OF LAKEWOOD, COUNTY OF JEFFERSON, STATE OF COLORADO

WHEREAS, the City of Lakewood (the "City") and Urban Drainage and Flood Control District d/b/a Mile High Flood District ("MHFD") cooperated in preparation of the "South Lakewood Gulch Major Drainageway Planning Study," dated August 1978, which identified certain flood-prone properties within the City;

WHEREAS, MHFD has a "Preservation Policy" that enables it to acquire certain flood-prone properties on behalf of local jurisdictions in order to preserve them in their natural state;

WHEREAS, the City and MHFD identified several flood-prone properties within the City, one of which is located at 170 Yukon St. (the "Property");

WHEREAS, the City and MHFD negotiated a tentative acquisition price of two hundred seventy-five thousand dollars (\$275,000.00) for the Property;

WHEREAS, MHFD has agreed to pay for eighty-two percent of the cost to acquire the Property and the City will pay the remaining eighteen percent (18%)

WHEREAS, the City's 18% contribution of \$49,500 was previously appropriated in the 2025 budget for the Stormwater Management Utility fund;

WHEREAS, MHFD agrees to acquire the Property on behalf of the City and then deed the Property to the City;

WHEREAS, MHFD's Board of Directors approved Resolution No. 79, Series of 2024, allowing MHFD to acquire the Property on behalf of the City and to expend \$225,500.00 for such acquisition;

WHEREAS, the purpose of acquiring this Property is to preserve the South Lakewood Gulch in and around the Property;

WHEREAS, MHFD wishes to convey, and the City wishes to acquire, the Property for this purpose;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the City's Charter by setting a public hearing

to provide City staff and the public the opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City Council hereby accepts a deed which will convey the property at 170 Yukon St. from MHFD to the City of Lakewood after MHFD purchases the Property from its current owner;

SECTION 2. The City's Chief Financial Officer is hereby authorized and directed to pay amounts not exceeding forty-nine thousand, five hundred dollars (\$49,500.00) for the City's share of acquiring the Property;

SECTION 3. The City Manager or designee is hereby authorized to accept the deed after the Property is acquired by MHFD and to execute all documents necessary related to the acquisition of the Property, including all necessary intergovernmental agreements.

SECTION 4. Approval of this Ordinance is contingent upon MHFD acquiring the Property for the anticipated amount; the City agreeing to regulate and control any defined floodplains on South Lakewood Gulch in accordance with the National Flood Insurance Program regulations; the City agreeing to maintain the Property in a manner acceptable to MHFD; and the City agreeing not to make any changes to the Property without MHFD's approval.

SECTION 5. This Ordinance shall take effect thirty (30) days after final publication.

[Remainder of this page intentionally left blank, signatures to follow]

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 14th day of July, 2025; published by title in the Denver Post and in full on the City of Lakewood's website at [www.lakewood.org](http://www.lakewood.org), on the 17th day of July, 2025; set for public hearing to be held on the 28th day of July, 2025; read, finally passed and adopted by the City Council on the 28th day of July, 2025; and signed by the Mayor on the \_\_\_\_ day of July, 2025.

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Wendi Strom, Mayor

ATTEST:

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Jay Robb, City Clerk

APPROVED AS TO FORM:

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Alison McKenney Brown, City Attorney